

REMARKS

I. Introduction

In response to the Office Action dated November 13, 2007, which was made final, and in conjunction with the Request for Continued Examination (RCE) submitted herewith, no claims have been canceled, amended or added. Claims 1, 4-23, 26-45 and 48-66 remain in the application. Re-examination and re-consideration of the application is requested.

II. Objections to the 131 Declarations

Beginning on page 45, the Office Action objects to the previously submitted Declarations under 37 C.F.R. §1.131, and asserts that they are insufficient to overcome the prior art rejections. The Office Action concedes that the Declarations establish conception. However, the Office Action asserts that the Declarations fail to establish diligence. Specifically, the Office Action asserted that the original Souza Declaration failed to provide evidence to demonstrate due diligence.

To overcome this objection, Applicant's attorney submits herewith a revised Souza Declaration with accompanying exhibits to show continuous and reasonable diligence by the Assignee towards reduction to practice. Specifically, the revised Souza Declaration with accompanying exhibits show that the Intellectual Property Law Dept. of I.B.M. Corporation's Silicon Valley Laboratory (SVL) worked continuously and with reasonable diligence on the above-identified patent application during the period from June 20, 2000 until May 18, 2001. This entailed, among other things, reviewing the results of the patentability search with the inventor of the above-identified patent application.

Also, during the time period between receipt of the search report on June 20, 2000 until instructions to draft and file the above-identified patent application were sent to attorney George H. Gates on May 18, 2001, the Intellectual Property Law Dept. of SVL had a normal backlog of unrelated cases that were processed. Attached to the revised Souza Declaration are two reports documenting these facts: (1) a first report, namely Report #1, listing 116 invention disclosures submitted to the Intellectual Property Law Dept. of SVL between 6/20/2000 and 5/18/2001; and (2) a second report, namely Report #2, listing 166 invention disclosures processed by the Intellectual Property Law Dept. of SVL, in that they were rated either Close, Publish or File between 6/20/2000 and 5/18/2001.

These reports show that the Intellectual Property Law Dept. of SVL both received and processed a large number of cases during the period in question. Moreover, because the normal

workload involved this large number of cases, it was reasonable that it took from June 20, 2000 until May 18, 2001 for instructions to be sent from the Intellectual Property Law Dept. of SVL to attorney George H. Gates. Specifically, the Intellectual Property Law Dept. of SVL was diligent in handling the above-identified patent application during the period from June 20, 2000 until May 18, 2001.

These are all "facts" attested to by the revised Souza Declaration. Applicant's attorney respectfully submits that the revised Souza Declaration and its accompanying exhibits show reasonable and continuous efforts involved in the constructive reduction to practice of the present application and thus comprise evidence of reasonable diligence. In light of these facts, Applicant's attorney submits that the revised Souza Declaration, in conjunction with the other previously-submitted Declarations, provide sufficient evidence of a diligent reduction to practice.

III. Prior Art Rejections

On page (2) of the Office Action, claims 1, 4-16, 19-23, 26-38, 41-45, 48-60 and 63-66 were rejected under 35 U.S.C. §103(a) as being unpatentable over "Special Edition Using Microsoft Outlook 2002" (Padwick) in view of U.S. Patent Application Publication No. 2004/0080528 (Rand), and further in view of U.S. Patent No. 6,009,442 (Chen). On page (21) of the Office Action, claims 17, 18, 39, 40, 61 and 62 were rejected under 35 U.S.C. §103(a) as being unpatentable over Padwick, in view of Rand and Chen, and further in view of U.S. Patent Application Publication No. 2003/0020749 (Abu-Hakima). On page (24) of the Office Action, claims 1, 4-16, 19-23, 26-38, 41-45, 48-60 and 63-66 were rejected under 35 U.S.C. §103(a) as being unpatentable over Padwick in view of Chen. On page (42) of the Office Action, claims 17, 18, 39, 40, 61 and 62 were rejected under 35 U.S.C. §103(a) as being unpatentable over Padwick, in view of Chen, and further in view of U.S. Patent No. 5,825,854 (Larson).

Applicant's attorney submits that the previously-submitted Declaration under 37 C.F.R. §1.131 by inventor Lee Anne Kowalski and Declaration under 37 C.F.R. §1.131 by George H. Gates, supplemented by the original Declaration under 37 C.F.R. §1.131 by Jeanette Berry Souza and the revised Declaration under 37 C.F.R. §1.131 by Jeanette Berry Souza, taken together, eliminate Padwick, Rand and Abu-Hakima as references. Consequently, Applicant's attorney requests withdrawal of the rejections based on these references.

IV. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

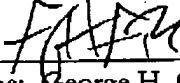
Respectfully submitted,

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